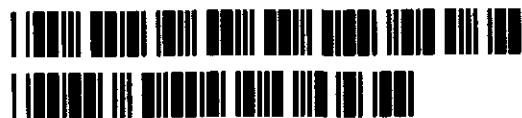


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08-CV-00416-ORD

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 GUY HENRY WASHINGTON,

10 Petitioner,

11 v.

12 STEVE FRAKES,

13 Respondent.

CASE NO. C08-416-JLR-JPD

ORDER DISMISSING § 2254 PETITION

14 The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28  
15 U.S.C. § 2254, the Report and Recommendation of the Honorable James P. Donohue, United States  
16 Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation.  
18 (2) Petitioner's § 2254 petition (Dkt. No. 9), and this action, are DISMISSED without  
19 prejudice.  
20 (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for  
21 respondent, and to Judge Donohue.

22 DATED this 24<sup>th</sup> day of November, 2008.

23   
24 JAMES L. ROBART  
25 United States District Judge  
26

ORDER DISMISSING § 2254 PETITION